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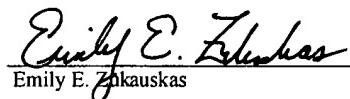
DOCKET NO.: I0248.70015US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bachovchin et al.  
Serial No.: 10/725,952  
Confirmation No.: 3968  
Filed: December 1, 2003  
For: STIMULATION OF HEMATOPOIETIC CELLS IN VITRO  
Examiner: Michael L. Borin  
Art Unit: 1631

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 12<sup>th</sup> day of May, 2006.

  
Emily E. Zokauskas

MAIL STOP AMENDMENT  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

- Information Disclosure Statement
- PTO Form 1449 with cited references
- Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

A check is not enclosed. If a fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

By:

  
Maria A. Trevisan, Reg. No.: 48,207  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210-2206  
Telephone: (617) 646-8000

Docket No.: I0248.70015US01  
Date: May 12, 2006  
xNDNx



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*Emily E. Zukauskas*  
Emily E. Zukauskas

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**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF**  
**DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

**PART I: Compliance with 37 C.F.R. §1.97**

This Information Disclosure Statement has been filed before the mailing of a first Office action on the merits in the above-identified case.

No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified PTO/SB/08). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application.

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 (modified PTO/SB/08) be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Serial No.: 10/725,952  
Conf. No.: 3968

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Art Unit: 1631

Notwithstanding any statements by the Applicant, the Examiner is urged to form his or her own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,

By:



Maria A. Trevisan, Reg. No. 48,207  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210-2206  
Telephone: (617) 646-8000

Docket No.: I0248.70015US01  
Date: May 12, 2006  
**xNDDx**

APPLICATION NO.: 10/725,952

ATTY. DOCKET NO.: I0248.70015US01

FILING DATE: December 1, 2003

CONFIRMATION NO.: 3968

APPLICANT: Bachovchin et al.

GROUP ART UNIT: 1631

EXAMINER: Michael L. Borin

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MAY 15 2006

## U.S. PATENT DOCUMENTS

Examiner's Initials #	Cite	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or Issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
	A45	5,939,560		Jenkins et al.	08-17-1999
	A46	6,090,786		Augustyns et al.	07-18-2000
	A47	6,201,132	B1	Jenkins et al.	03-13-2001
	A48	6,265,551		Duke-Cohan et al.	07-24-2001
	A49	6,303,661	B1	Demuth et al.	10-16-2001
	A50	6,500,804		Demuth et al.	12-31-2002
	A51	6,548,481	B1	Demuth et al.	04-15-2003
	A52	6,803,357	B1	Bachovchin et al.	10-12-2004
	A53	6,875,737	B1	Bachovchin	04-05-2005
	A54	6,881,564		Abbott et al.	04-19-2005
	A55	6,890,904	B1	Wallner et al.	05-10-2005
	A56	6,890,905	B2	Demuth et al.	05-10-2005
	A57	6,949,514		Wallner et al.	09-27-2005
	A58	6,946,480		Demuth et al.	09-20-2005
	A59	6,979,697		Wallner	12-27-2005
	A60	2002-0006899	A1	Pospisilik et al.	01-17-2002
	A61	2002-0198242	A1	Demuth et al.	12-26-2002
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	A76	2004-0229820	A1	Bachovchin et al.	11-18-2004
	A77	2004-0229848	A1	Demuth et al.	11-18-2004

EXAMINER:

DATE CONSIDERED:

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.  
Include copy of this form with next communication to Applicant.

APPLICATION NO.: 10/725,952	ATTY. DOCKET NO.: I0248.70015US01
FILING DATE: December 1, 2003	CONFIRMATION NO.: 3968
APPLICANT: Bachovchin et al.	
Sheet 2 of 3	GROUP ART UNIT: 1631 EXAMINER: Michael L. Borin

	A78	2005-0008644	A1	Huber et al.	01-13-2005
	A79	2005-0043299	A1	Evans et al.	02-24-2005
	A80	2005-0084490	A1	Adams et al.	04-21-2005
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	A82	2005-0171025	A1	Von Hoersten et al.	08-04-2005
	A83	2005-0202027	A1	Bachovchin	09-15-2005
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	A87	2005-0215784	A1	Madar et al.	09-29-2005
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	A90	2006-0063719	A1	Jesson et al.	03-23-2006
	A91	2006-0094693	A1	Aziz et al.	05-04-2006

## FOREIGN PATENT DOCUMENTS

Examiner's Initials #	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/Country	Number	Kind Code			
	B45	WO	99/28474	A2	The Government of the United States of America	06-10-1999	
	B46	WO	01/89569	A1	Institut für Medizintechnologie Magdeburg GmbH Imtm	11-29-2001	Y-Abstract
	B47	WO	2005/071073	A1	Point Therapeutics, Inc.	08-04-2005	

## OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials #	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
	C131	BORLOO et al., Dipeptidyl peptidase IV: development, design, synthesis and biological evaluation of inhibitors. Verh K Acad Geneeskd Belg. 1994;56(1):57-88.	
	C132	BRISTOL et al., Thymocyte costimulating antigen is CD26 (dipeptidyl-peptidase IV). Costimulation of granulocyte, macrophage, and T lineage cell proliferation via CD26. J Immunol. 1992 Jul 15;149(2):367-72.	
	C133	BRISTOL et al., Inhibition of CD26 enzyme activity with pro-boropro stimulates rat granulocyte/macrophage colony formation and thymocyte proliferation in vitro. Blood. 1995 Jun 15;85(12):3602-9.	
	C134	CHIRAVURI et al., A novel apoptotic pathway in quiescent lymphocytes identified by inhibition of a post-proline cleaving aminodipeptidase: a candidate target protease, quiescent cell proline dipeptidase. J Immunol. 1999 Sep 15;163(6):3092-9.	

EXAMINER:

DATE CONSIDERED:

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

<b>FORM PTO-1449/A and B (modified PTO/SB/08)</b> <b>INFORMATION DISCLOSURE</b> <b>STATEMENT BY APPLICANT</b>				APPLICATION NO.: 10/725,952	ATTY. DOCKET NO.: I0248.70015US01
				FILING DATE: December 1, 2003	CONFIRMATION NO.: 3968
				APPLICANT: Bachovchin et al.	
				GROUP ART UNIT: 1631	EXAMINER: Michael L. Borin
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	C135	CHRISTOPHERSON et al., Modulation of hematopoietic stem cell homing and engraftment by CD26. <i>Science</i> . 2004 Aug 13;305(5686):1000-3.	
	C136	COUTTS et al., Two efficient methods for the cleavage of pinanediol boronate esters yielding the free boronic acids. <i>Tetrahedron Letts</i> . 1994;35(29):5109-12.	
	C137	FLEISHER et al., Triggering of cytotoxic T lymphocytes and NK cells via the Tp103 pathway is dependent on the expression of the T cell receptor/CD3 complex. <i>J Immunol</i> . 1988 Aug 15;141(4):1103-7. Abstract Only.	
	C138	FLENTKE et al., Inhibition of dipeptidyl aminopeptidase IV (DP-IV) by Xaa-boroPro dipeptides and use of these inhibitors to examine the role of DP-IV in T-cell function. <i>Proc Natl Acad Sci U S A</i> . 1991 Feb 15;88(4):1556-9.	
	C139	HOFFMANN et al., Dipeptidyl peptidase IV (CD 26) and aminopeptidase N (CD 13) catalyzed hydrolysis of cytokines and peptides with N-terminal cytokine sequences. <i>FEBS Lett</i> . 1993 Dec 20;336(1):61-4.	
	C140	LOKSHINA et al., Proteolytic enzymes in human leukemic lymphoid cells. III. Aminopeptidases, angiotensin-converting enzyme, and its inhibitor in cells of different immunological phenotype. <i>Biochemistry (Mosc)</i> . 1999 Apr;64(4):448-55. Abstract Only.	
	C141	MITTRUCKER et al., The cytoplasmic tail of the T cell receptor zeta chain is required for signaling via CD26. <i>Eur J Immunol</i> . 1995 Jan;25(1):295-7. Abstract Only.	
	C142	ROSENBLUM et al., Prolyl peptidases: a serine protease subfamily with high potential for drug discovery. <i>Curr Opin Chem Biol</i> . 2003 Aug;7(4):496-504.	

\*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_\_, filed \_\_\_, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE – No copies of U.S. patents, published U.S. patent applications, or pending, unpublished patent applications stored in the USPTO's Image File Wrapper (IFW) system, are included. See 37 CFR §1.98 and 1287OG163. Copies of all other patent(s), publication(s), unpublished, pending U.S. patent applications, or other information listed are provided as required by 37 CFR §1.98 unless 1) such copies were provided in an IDS in an earlier application that complies with 37 CFR §1.98, and 2) the earlier application is relied upon for an earlier filing date under 35 U.S.C. §120.]

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